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SUBJECT: Brazil and Russia Sign Space Cooperation MOU

REF: 06 Brasilia 2692

SENSITIVE BUT UNCLASSIFIED

¶1. (SBU) One of the agreements signed by Brazil with Russia during the December 14-15, 2006, visit of Foreign Minister Serguei Lavrov to Brasilia was an MOU for Cooperation in Space. According to the newspaper Jornal do Brasil, the principal beneficiary of the agreement will be Brazil's rocket launching facility, Alcantara. Inter alia, the Russians have agreed to supply liquid fuel for the Brazilian satellite launching vehicles, which is less prone to explosions.

¶2. (SBU) Brazil - Russia MOU follows:

Memorandum of Understanding between the Ministry of Science and Technology of the Federative Republic of Brazil and the Federal Space Agency Regarding Cooperation in Space Activities

The Ministry of Science and Technology of the Federative Republic of Brazil And The Federal Space Agency (the Russian Federation) (hereinafter referred to as "the Parties"),

Guided by the terms of the Agreements between the Government of the Federative Republic of Brazil and the Government of the Russian Federation on Cooperation in the Exploration and Use of Outer Space for Peaceful Purposes of November 21, 1997 (hereinafter referred to as "the Cooperation Agreement");

Recalling the terms of the Basic Agreement for Scientific, Technical and Technological Cooperation between the Government of the Federative Republic of Brazil and the Government of the Russian Federation of November 21, 1997;

Pursuant to the laws and regulations and with respect to the international obligations of their respective countries related to non-proliferation and the export control, including the Missile Technology Control Regime,

Recognizing the importance of joint space activities in fostering political, socio-economic, and science and technological cooperation between the Federative Republic of Brazil and the Russian Federation,

Have agreed as follows:

ARTICLE I

1) The objective of the present Memorandum of Understanding (hereinafter referred as "the Memorandum") shall be to define within the framework of the Cooperation Agreement the conditions for the implementation of the Brazilian-Russian Program of cooperation in the field of space (hereinafter referred to as "the Program").

2) The Parties shall implement, as mutually agreed, the Program, including:

a. the development of the modified version of the Brazilian launcher VLS-1, based on its existing model with the third liquid propellant stage;

b. the joint development based on the Brazilian and Russian technologies, of a new generation launchers capable of placing satellites into geo-stationary orbit;

c. the joint development of Brazilian geo-stationary satellites for the purposes of the implementation of programs in the interest of the Government of the Federative Republic of Brazil;

d. the development of the ground space infrastructure of the Alcantara Spaceport.

3) In order to ensure the conditions for the implementation of various joint activities pursuant to paragraph 2 of this Article, the Parties shall define within the shortest possible timeframe, the format and contents of specific cooperation projects, including the type of and procedures related to the technologies used within the framework of such projects, aiming at carrying out in 2005 negotiations to elaborate and finalize:

a. an intergovernmental agreement on mutual protection of space technologies used in joint projects within the Program, and an intergovernmental technology safeguards agreement for the use of the Alcantara Spaceport;

b. an arrangement on the financing of the Program;

c. other arrangements necessary for the implementation of the Program.

ARTICLE II

The Brazilian Party shall appoint the Brazilian Space Agency as implementing agency to execute the activities within the framework of the Program.

The modalities of the implementation of the Program shall be detailed by the Parties as they identify the joint activities aimed at implementing the present Memorandum and other agreements and arrangements referred to in paragraph 3 of Article I of the present Memorandum.

ARTICLE III

1) For the purposes of the implementation of the Program the responsibilities of each Party shall be defined, including, inter alia:

The responsibilities of the Brazilian Party:

- to cover expenses and attract investments for the implementation of the Program, as agreed by the Parties;

- to ensure to the Russian Party, under mutually agreed conditions, the use of the technologies involved in the Program, the access to the respective facilities of the ground space infrastructure at the Alcantara Spaceport, as well as the access to the information and technical data related to such technologies and facilities;

The responsibilities of the Russian Party:

- to ensure the Brazilian Party, under mutually agreed conditions, the use of technologies involved in the Program, the access to the respective facilities of the Russian ground space infrastructure, as well as the access to the information and technical related to such technologies and facilities;

- to train the Brazilian personnel as necessary and under agreed conditions;

2) For the purposes implementation of the Program the mutual responsibilities of the Parties shall also be defined, including, *inter alia*, to provide for scientific cooperation aiming at the establishment of laboratories, workshops, testing and other facilities and technical means deemed necessary for the implementation of the Program.

ARTICLE IV

Pursuant to the laws and regulations of their respective countries, the Parties shall endeavor to identify potential investors to participate in the Program.

ARTICLE V

1) Pursuant to the laws and regulations of their respective countries, the Parties shall agree on the conditions of the transfer or use of technologies and for their treatment in the course of the implementation of joint activities within the framework of the Program, which shall be later incorporated in the corresponding intergovernmental agreements.

2) Pursuant to the laws and regulations of their respective countries, the Parties shall consider the issues of development of national scientific, research and technological potentials, including training and upgrading of skills of personnel, organizational and technical assistance in the establishment of laboratories, workshops, testing and equipment acceptance facilities, as well as in the integration of industries of both Parties.

ARTICLE VI

Pursuant to the terms of the Cooperation Agreement concerning the issues of intellectual property and the exchange of information and technical data, the Parties shall agree that the procedures of the implementation of such exchange of information and technical data, as well as the scope of the information transferred in relation to the Program, shall be detailed in the agreements referred to in subparagraph 1 of paragraph 3 of Article I of the present Memorandum.

ARTICLE VII

The Parties within their competences shall undertake their best efforts to ensure that the customs clearance of goods necessary for the implementation of the Program based on the terms of the Cooperation Agreement, shall be done as expeditiously as possible and on the priority basis when necessary.

ARTICLE VIII

Any disputes and/or controversies between the Parties regarding the interpretation and/or implementation of the present Memorandum shall be resolved through consultations and/or negotiations between the Parties, except if otherwise agreed by the Parties.

ARTICLE IX

Upon consent of both Parties the present Memorandum may be amended, which shall be agreed in writing pursuant to the respective laws and regulations of the Federative Republic of Brazil and the Russian Federation.

ARTICLE X

1) The present Memorandum shall enter into force upon the date of its signature.

2) The present Memorandum shall remain in force indefinitely. Any of the Parties may terminate the present Memorandum by notifying the other Party in writing of its intention to terminate it. Such termination shall be effective six months upon the receipt of the notification of the other Party, except if otherwise agreed by the Parties.

Done at Brasilia on November 22, 2004, in duplicate, each in the Portuguese, Russian and English languages, all texts being equally

authentic. In case of any divergences of interpretation of the provisions of the present Memorandum the text in the English language shall be used.

FOR THE MINISTRY OF SCIENCE AND TECHNOLOGY OF THE FEDERATIVE REPUBLIC OF BRAZIL
EDUARDO CAMPOS
Ministry of Science and Technology

FOR THE FEDERAL SPACE AGENCY
ANATOLY NIKOLAEVITVH PERMINOV
Director of the Space Agency

SOBEL